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ASC/ CPD 003-787-342

LOCATION: Kailua Kona, HI (KOA)/ Seattle, WA (SEA)

**VIOLATION OF PRIVACY “(INVASION OF PRIVACY)”
PERSONAL CONFIDENTIAL INFORMATION & PROPERTY**

**PARTIES INVOLVED : ALASKA AIRLINES & “(THIRD PARTY)”
UNIDENTIFIED AGENTS**

DATE: Monday, December 23, 2019 (KOA)

Tuesday, December 24, 2019 (SEA)

INCIDENT REPORT

ALEX A. SALAVERRIA - ASC/CPD 003-787-342

On or about 7:15 am on December 23, 2019 I was transported by a “unidentified” female driver from the Courtyard Marriott in Kailua Kona to the Kona Airport (KOA). A fare of \$30 USD was paid in cash to the driver at the destination. The ticket counter of the carrier “ALASKA AIRLINES” was closed and would open between 8:30am-9:00 am as disclosed by airport personnel. I was confirmed on flight AS *** KOA-PDX departing at 11:00 am **(RECORD LOCATOR: HFMPFW)**. At the time I was waiting for the ticket counter to open, I had physically checked into the flight through the automated kiosk machine of the carrier, only waiting for the printed bag tag for ***one piece of checked baggage:“(Physical Description of item: BLACK SAMSONITE BAG-HARD SHELL)”***.

As I waited for the ticket counter to open, I noticed several individuals “(what appeared to be)” maintenance personnel working on the roof of the building (going in and out constantly) just above the ticket counter office door of ALASKA AIRLINES. I waited until around 8:55am with another unidentified fellow passenger with a “Music Instrument” piece of luggage; he as well had checked in through the automated kiosk machine of the carrier and waiting for the printed bag tag. When ticket counter opened at 9:00 am two agents came out of the office to service passengers. The agents servicing the “Priority Lane for First Class and Elite”: (Physical Description: Male Medium to Dark complexion/ Polynesian Hawaiian descent, 5’ 08” approximately in height, mid 30’s), the other agent (Physical Description: Female White complexion, brunette, 5’ 07’ approximately in height, mid 20’s) went ahead and tagged the piece of luggage KOA-PDX with final destination LAX.

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As I left the ticket counter area, I walked to the restroom to the side of the security check point. I decided to take a taxi (White Mini Van) since it was still very early to a location about 3 miles (Kona Coffee Roasters) located to the side of a gas station and the Matsayuma Store at the business complex nearby. I noticed several vehicles, and several people as if I was “under surveillance”. When arriving at said location the taxi driver for some odd reason had no change at hand which to me seemed very strange, and for said reason the driver decided not to charge the \$9 USD fare between the KOA and destination described herein. I noticed then an individual in a “Grey Toyota Pick-up Truck” and overheard a communication via radio: (“Where is all the luggage going to go?”). I really didn’t know if said communication was related to me directly, but was paying close attention to every single detail of people in my surroundings. I proceeded to order a “Fruit Smoothie” at Kona Coffee in order to take my daily HIV medication and other supplements. As I sat down in a table toward the left side of the building facing the highway, I noticed three people at one table (one female, and two males), then a male that was joined by a couple that came on bicycles. The female of the cyclist couple had glasses that had a small screen attached to it for visual communication. Both tables and said people were glancing towards my direction at different moments in time, which immediately caught my attention. I remained doing my business of checking the local daily news on my personal device. Over hearing one of the conversations between the two tables (the one towards the left) in front of me, the female says: “He apparently wants all the work to be done for a 30 percent, he probably wants to make profit from the Daime” ***(No further details nor disclosure will be made on this comment unless legal confidentiality and counsel is involved)***. At that point I knew for a fact they were talking about me, and unless my conversation with an acquaintance that resides in Hilo which I met the previous day was recorded or being monitored without my consent, said individuals had no way of knowing details of conversations between two people. In addition other vehicles would come in and out of the complex and came to the conclusion that I was being monitored and followed by unidentified people.

I walked inside Kona Coffee and asked the attendant to please call me a cab to take me to the airport. When arriving at the airport around 10:05 am I proceeded to the security check point, and noticed a few people glancing at me in different places. I was extremely concerned of what was going on, and had no idea what or whom was behind this. However, as the TSA officer scans my boarding pass, for some reason it took a few moments before the device gave the green light to proceed towards the boarding area of gate 7. I did find odd a few minutes later, I clearly heard over the speakers: (“Salaverria ticketed and in the waiting area”). I knew for a fact something was up, and noticed several people constantly monitoring where I was going and over heard what must have been “agents” of some enforcement (one female, one male of Polynesian/ Hawaiian descent), say between themselves: (“He seems to be getting a bit nervous”), which in fact I wasn’t since I had done nothing wrong (However was paying very close attention to

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everything) ***and did not have anything illegal on me or within my personal property that could constitute such behavior from said people.*** As ALASKA AIRLINES personnel start the boarding process the flight was delayed some 20 minutes for whatever reason this was. So I decide not to board the flight, and walk to the Check-in counter as I had left behind some of my medications at the location I was staying in Kona. Before exiting the boarding area I over heard two individuals say: "(Let him go, we will have some agents meet him outside)". When at the ticket counter at the Priority Lane for First Class and Elite: the agent (Physical Description: Female -White complexion, brunette, 5'07' approximately in height, mid 20's) was being contacted per a PDX piece of luggage with the description Black Hard Shell—I immediately related it was mine, as she turns down the volume and says: "copy that". The other agent (Physical Description: Male Medium to Dark complexion/ Polynesian Hawaiian descent, 5'08' approximately in height, mid 30's) seemed surprised to see me, as I mentioned I had left my medications in Kona and would request to be put on a later flight which he proceeded to do "with hesitation", however found odd he would ask: "(What Hotel did you leave your medications? So we know how much time it will take you to return to the airport)". I immediately responded: ***"First of all it is not your concern where I am going and why would you ask for a specific location? Secondly if you live here you should know Kailua Kona is about 20 minutes away so using common sense it will take around more than an hour."*** He then proceeded to issue a STBY Boarding Pass for flight AS 988 KOA-SEA departing at 12:45pm.

As I walked towards the taxi pick up location I noticed a Police Officer on board a small vehicle similar to a golf cart point at me directly as I requested a taxi. What was even more concerning was the same taxi (White Mini Van) was the same vehicle I was transported earlier to Kona Coffee. Taking in consideration there was something odd going on, I simply stated: "I will report this situation." A second taxi (Light brown Mini Van) was called, and boarded the vehicle and just said: "Take me to the Kona Palisades area I will let you know where to drop me off." He seemed very vigilant and as we got close to the area the driver starts using his phone as I stated: "It is illegal to use your cell phone and drive so stop it immediately." He started acting erratically and I simply mentioned once again: "I will report this incident". When being dropped off at the location requested over the radio it was mentioned: "(He can go...)." A \$20 USD fare was paid to the driver. ***I assume they then realized as I was aware of what was going on there were serious violations in this matter that can constitute legal action against anyone involved.***

I was unable to pick up my medications until later that afternoon, therefore decided to take the "red eye" flight AS *** KOA-SEA departing at 11:00pm that evening.

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I arrived at the airport around 9:30pm that immediately requested to speak to the on duty supervisor/manager. She was kind and apologized for any inconvenience. However this did not take away the fact “**ALASKA AIRLINES**” was providing confidential information to a “**third party**”. She did make the necessary changes and routed the second portion of the ticket SEA-LAX. I was assigned the Premium Seat 7B on the B737-800 that evening. A gentleman by the name of Andrew sat to my side on seat 7A who mentioned is a server at a restaurant in Kona, and had a very pleasant conversation and flight that evening with no major incidents involved. However continued to be very vigilant in all of my surroundings.

When arriving in Seattle (SEA) next morning around 7:15 am, the aircraft was parked in the remote gates area of the airport. We were transported by bus to the main terminal. I was scheduled on AS *** SEA-LAX departing at 10:15am. Since I was completely sure “someone” was physically informing a “third party” of my travel itinerary (This matter would then constitute a “Breach of Contract” between Passenger and Carrier), I decided to meet a local friend in Seattle that morning to further discuss the Violation of Privacy and Personal information within the stipulations under the “Conditions of Carriage” between the passenger and the carrier. **“Airlines are bond to the Warsaw Convention and ratified Montreal Convention in these matters as well as all laws concerning the privacy of individuals.” In addition the privacy of individuals is protected by the Fourth Amendment of the Constitution of the United States of America among other International Treaties.**

I was unable to do much as per informing several parties including at a **Diplomatic** level about the current situation because of the fact of being Christmas Eve, so decided to take the evening flight AS *** SEA- LAX. When arriving at the airport around 6:15 pm, proceeded to the Priority Lane for First Class and Elite, and was checked in by a female customer service agent. As I was being checked in I overheard the airport intercom speakers: “**(A. PRICE please call extension for coordination)**”. What was even more odd was the agent was unable to do a simple upgrade even though as a **MVP Gold** the system should allow it immediately as there were four open seats in the First Class cabin available for Elite passengers. She then proceeded to the back office and I was upgraded to the First Class cabin in seat **3F**. I continued to be extremely vigilant and aware of my surroundings. I boarded the flight and noticed the First Class cabin had four empty seats that were filled eventually except for the seat beside me “**3D**”.

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Towards the end of the boarding process a “White Female Brunette in her mid to late 20’s with the last name “PRICE” sat in seat **3D** of the First Class cabin. ***In that moment since I considered this “too coincidental” I decided to deplane the aircraft and decided not to fly that evening to further protect personal interests at hand.*** I have decided to take LEGAL action against all parties involved and fully report all respective matters to the necessary Diplomatic levels including Human Rights violations to the United Nations both in New York and Geneva, Switzerland. ***This now constitutes personal harassment and a direct threat to my safety and life. Any direct impact to my personal health will be considered personal endangerment and will have dire consequences for anyone involved.***

- I. Companies have a fiduciary responsibility to protect their customers’ data, which not only includes personally identifiable information (PII), but their intellectual property, financial data, and national security secrets.
- II. **PRIVACY- Federal Constitutional Rights, such as the Fourth Amendment, are rights that individuals have to protect themselves against government actions. Tort rights, are rights that individuals have against a wide variety of entities, such as private persons and business entities, in addition to the government. Thus while the Fourth Amendment protects an individual’s privacy from unjustified government intrusion, privacy torts protect an individual’s privacy from other individuals, including the government. *“One who intentionally intrudes physically or otherwise, upon the solitude or seclusion of another or his private affairs or concerns, is subject to liability to the other for invasion of his privacy.”***
- III. **The Privacy Act of 1974 (5 U.S.C. § 552a) protects personal information held by the federal government by preventing unauthorized disclosures of such information. Individuals also have the right to review such information, request corrections, and be informed of any disclosures. *“The Freedom of Information Act facilitates this procedure.”***
- IV. **Article 17 of the International Covenant on Civil and Political Rights of the United Nations in 1966 also protects privacy: “No one shall be subject to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honor and**

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reputation. Everyone has the right to the protection of the law against such interference or attacks.”

- A. The United Nations General Assembly adopted resolution 68/167 on the right to privacy in the digital age on (12.18.2013). The resolution makes reference to the Universal Declaration of Human Rights and reaffirms the fundamental and protected human right of privacy.**
- B. The Principles on Personal Data Protection and Privacy for the United Nations System were declared on (10.11.2018).**

The purpose behind this **INCIDENT REPORT** is to set a “***precedent***” for the benefit of privacy protection for other fellow passengers in the future. I find it appalling and intrusive, not to mention a complete abuse from the different entities involved in this specific situation. While certain individuals are not educated enough nor bright enough to follow the protocols put in place in order not to break any law concerning ones’ privacy; I find it appalling the excuse given is “***these people are trained to do what they are told.***” In addition which ever entity it may concern in this matter I make it clear this information is being sent to the appropriate channels so protocols are respected and any abuse in any shape or form is considered a violation to the privacy of an individual to the fullest extent of the law.

ALEX A. SALAVERRIA

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CC./ enclosure

Permanent Mission of El Salvador to the United Nations (New York, NY)
(Geneva, Switzerland)

Embassy of El Salvador Washington D.C.

Office of Human Rights to the United Nations (New York, NY) (Geneva, Switzerland)

Office of Civil Rights and Civil Liberties Department of Homeland Security (Washington D.C.)
(New York Times) (Washington Post) (Los Angeles Times) (The Miami Herald)

Honorable Nancy Pelosi Speaker of the House of Representatives US Congress

Maria Elsie Salaverria Horcasitas MSNBC

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